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DATE: JANUARY 19, 2006

PAGE 1 OF: 11

TO: EXAMINER HENRY CHOE

FACSIMILE No.: (571)273-8300

COMMISSIONER FOR PATENTS

FROM: STEVE PERRY

TRANSMITTED BY: SHEILA

OUR DOCKET No.: 20191.PROV.PCT.US

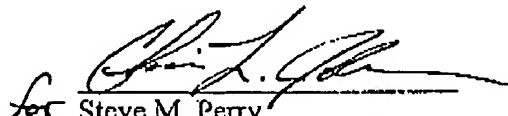
AMERICAN TECHNOLOGY CORPORATION

APPLICATION NUMBER: 10/501,896

CUSTOMER NUMBER 20,551

REMARKS:

Included are: Transmittal Letter for Response/Amendment
Response/Amendment (9 Pages)
Certificate of Mailing


for Steve M. Perry
Registration Number 45,357

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PTO/SB/21 (09-04)

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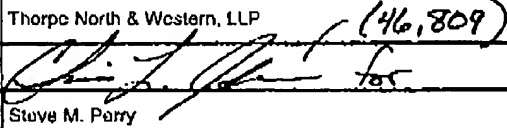
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/501,896
	Filing Date	July 19, 2004
	First Named Inventor	Michael E. Spencer
	Art Unit	2817
	Examiner Name	Henry Choc
Total Number of Pages in This Submission	Attorney Docket Number	20191,PROV.PCT,US


ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Thorpe North & Western, LLP (46,809)		
Signature			
Printed name	Steve M. Perry		
Date	January 19, 2006	Reg. No.	45,357

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Steve M. Perry	Date	January 19, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT APPLICATION
ATTORNEY DOCKET NO. 20191.PROV.PCT.US

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

ART UNIT: 2817

EXAMINER: Henry Choc

APPLICANT: Michael E. Spencer

SERIAL NO.: 10/501,896

CONFIRM. NO.: 8555

FILED: July 19, 2004

FOR: Modulator Amplifier

DOCKET NO. 20191.PROV.PCT.US

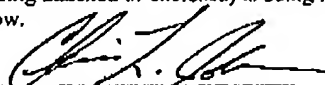
RESPONSE/
AMENDMENTMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

In response to the Ex parte Quayle Action, mailed October 19, 2005, Applicant offers the following Amendment and requests reconsideration of the above-captioned application.

CERTIFICATE OF FACSIMILE UNDER 37 C.F.R. § 1.8

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being facsimile transmitted (Fax: 571-273-8300) under 37 C.F.R. § 1.8 on the date indicated below.

January 19, 2006
Date of Deposit
Christopher L. Johnson